

HCS#2 HB 1323 -- UNLICENSED CHILD CARE PROVIDERS, PATERNITY PROCEEDINGS, AND BAIL BONDS (Black)

COMMITTEE OF ORIGIN: Committee on Children and Families

This substitute prohibits any child care facility which is exempt from licensure from asserting to any parent or guardian of children in its care that the facility is licensed, when the facility is in fact not licensed. Any person who violates this provision a second or subsequent time will be guilty of a class A misdemeanor and must be assessed a fine of \$200 per day up to a maximum of \$10,000.

A court is required to issue an automatic stay of any paternity proceeding involving a child and a putative father where criminal charges alleging an act of rape are brought against the putative father of a child conceived as a result of the rape. The stay must not be lifted until there is a final disposition of the criminal charges. In any future custody proceeding, any denial of visitation cannot be used against the mother of the child in specified custody considerations.

The substitute requires a court to accept, in lieu of a cash only bond, a guarantee from any surety who is in compliance with the general laws regulating bail bondsmen.

Sam Pratt's Law is established which allows any court in a case involving the abuse, neglect, or death of a child to impose as a condition of release of the defendant that he or she be prohibited from providing child care services for compensation pending final disposition of the case.

FISCAL NOTE: No impact on state funds in FY 2013, FY 2014, and FY 2015.